

THE BUTTE OFFICE

Of the STANDARD is in the New Windsor Hotel Annex, No. 21 East Broadway. The Telephone number is 258.

Advertisements will be received at the Butte office of the STANDARD till 4 o'clock P. M. for insertion in the following morning's paper. The STANDARD is delivered to Butte subscribers every morning.

BUTTE RAILWAY GUIDE.

| MONTANA UNION. | | |
|--|------------|------------|
| | LEAVE. | ARRIVE. |
| Helena Express..... | 8:00 a.m. | 12:40 p.m. |
| Butte Union Express..... | 2:30 p.m. | 10:35 p.m. |
| Southern Pacific Express..... | 2:15 p.m. | 4:30 p.m. |
| Anaconda Express..... | 11:30 a.m. | 11:30 a.m. |
| Anaconda Express..... | 6:00 p.m. | 7:45 p.m. |
| Anaconda Express..... | 8:10 a.m. | 1:30 p.m. |
| Union Pacific Fast Mail..... | 4:30 p.m. | 2:30 p.m. |
| Union Pacific Eastern Ex..... | 7:10 a.m. | 6:00 p.m. |
| MONTANA CENTRAL. | | |
| | ARRIVE. | LEAVE. |
| St. Paul Express..... | 6:30 p.m. | 7:45 a.m. |
| Helena Accommodation..... | 11:40 a.m. | 2:40 p.m. |
| CLOSING AND ARRIVAL OF MAIL. | | |
| | ARRIVE. | LEAVE. |
| Mail for California and the Southern States..... | 6:40 p.m. | |
| Mail for East via M. C. Ry..... | 7:30 a.m. | |
| Mail for East via M. C. Ry..... | 2:30 p.m. | |
| Mail for West via N. P. Ry..... | 6:15 p.m. | |

BUTTE CURRENT NOTES.

The Congregational Sunday school will picnic at Horse canyon today.

L. C. Stebbins, traveling freight and passenger agent of the Montana Central, was in the city yesterday.

Adolf Greger was fined \$5 and costs in the police court last evening for disturbance. Notice of appeal was given.

Dr. Hodges of Boston, expert on inks for the proponents in the Davis case, returned to his home in Boston yesterday afternoon.

The preliminary examination of Frank Henry, William Burke and Tom Cosgrove, arrested for highway robbery, will take place before Judge McMurphy today.

The excursion of the A. O. U. W. to Lake Wilder yesterday was a complete success, and was largely attended. The excursionists spent a delightful day at the lake.

The Sons of St. George will turn out for parade in company with the members of the G. A. R. and Sons of Veterans on Sept. 13, the occasion being the camp fire of the G. A. R.

Two people were talking on the street yesterday of the retired woman, and one was overheard to remark: "When I die, I don't want to be putrified, I want to be cremated so my wife can carry me around in a bottle."

Judge McCallum announces that in view of the many who desire to hear the closing speeches of the attorneys in the Davis case, he has decided to give ladies and their escorts first choice for the orchestra chairs. Others will remain outside the court room until these favored ones are seated.

Francis Murphy talked to a crowded house in Roush hall last evening. The laborers are beginning to bear abundant fruit, for he announced that the sales of liquor in Butte were \$1,200 a day less since his arrival than before. About 200 signed the pledge.

Francis Murphy, the great advocate of cold water, thinks that if drinking liquor is excusable in any place on earth, the mantle of concealment will surely cover the imbibers who live in Butte. Brother Murphy can't even stomach the water himself, and this city is furnished with. He imports from Helena the genuine, untainted aqua pura, and uses it for drinking purposes.

HOSTILE PREPARATIONS.

Let the Silly Nicker and Fleet-Footed Deer Look Out.

BUTTE, Sept. 2.—Dr. Winston, John Fairfield and W. I. Lippincott left today on a hunting and fishing tour through the Teton district. They went from here to Beaver Canyon by rail, where they will be met by "Teton" Ray with an outfit of saddle and pack horses. The party will ride from there to Ray's ranch, where preparations for an extended trip lasting 30 days will be made.

They will do all their traveling by horseback, a task for which they are well supplied, having been daily practicing during the past two weeks. A wagon load of provisions consigned to them was shipped to Beaver Canyon by express today. They evidently expect to meet with success while fishing, as they took a 52-gallon barrel along in which to pack the fish they hope to land.

The Rich Katie Kavanagh.

BUTTE, Sept. 2.—Action was commenced in Department 1 of the district court today by Judge Hamilton, as attorney for Owen Dugan and five others, against Isaac L. Merrill, John G. Currie and Benjamin Phillips to quiet title to the Katie Kavanagh quartz lode mining claim. The defendants applied for patent to the premises as the Lulu B. lode, and this action is an adverse suit to obtain a decree determining the question of title.

The ground is about one mile northwest of Butte and is considered very rich, embracing five acres and being surrounded by a number of rich mines.

Notice of Removal.

On Monday, August 31, Dr. T. C. Witherspoon, will remove his office from the Mantle & Bielenberg block to the late residence of Dr. O. B. Whitford, corner of West Galena and Idaho streets. A private hospital has been fitted up in connection with Dr. Witherspoon's new office, where the best of care will be bestowed on all patients. Office hours will be from 8 to 9 a. m., and 12:30 to 2:30 and 7 to 9 p. m.

Here's to Them.

BUTTE, Sept. 2.—The county clerk issued two marriage licenses today. Michael J. Somers secured a license and will marry Annie Regan. John S. Harris was the other applicant, who secured a license and will be linked for life with Mrs. Mary J. Hooper.

For Sale.

A saloon on Main street; new fixtures and a long lease. Inquire at Rocky Mountain Bottling works.

Smokers of the celebrated and original "Cuban Blossoms" will in future find every cigar and every box branded "L. Lillie." All others are counterfeit. L. Lillie, 1232 Second avenue, New York.

Call and be convinced that we are really selling ranges and cook stoves at cost. H. J. Blume, No. 78 West Park street.

Ranges and cook stoves at real cost. H. J. Blume, No. 78 West Park street.

Smoke the Irwin hand made Cigar.

THE DOG DAN STOLE

O'Donnell the Chief Subject of Discussion in the Penrose Case.

DRAGGING SLOWLY ALONG

Nothing Starting in Yesterday's Testimony—The Defense Taken Up and Witnesses Called By Campbell.

BUTTE, Sept. 2.—There was no startling testimony offered today in the trial of the men accused of Penrose's murder to break the monotonous progress of the proceedings. Half of the time of the justices is taken up in listening to arguments of the attorneys on different points which arise in the questioning of witnesses, on the competency of testimony, etc.

The defense is after Dan O'Donnell with a sharp-pointed stick, and are determined that his testimony will have no bearing on the case.

Witnesses examined today ostensibly were subpoenaed to prove that the general reputation of O'Donnell was not "whiter than snow," in fact that he is known to be a young man quite incapable of telling the truth. Every effort is being made to show that O'Donnell's testimony. There are a few more witnesses to testify as to the reputation of O'Donnell, after which a motion will be made to impeach him. As on other days, every seat was occupied. In the afternoon, long before order was called every seat reserved for women was occupied, and an almost deafening hum was kept up, and not until the judge called for quiet, did the babble cease.

DAN THE ROWDY.

O'Donnell's Reputation Not as Spotless as the Hawthorn Bush in Bloom.

When the court was called to order this morning, Attorney Baldwin continued arguments on the testimony of Officer Waller, basing on the reputation of witness Dan O'Donnell, and preliminary to a motion which it is expected the defense will make to impeach O'Donnell. He said that he believed Attorney Campbell even did not have the effrontery to claim the character of the witness was such previous to his appearance in the case, to ask that he should be impeached.

The claim is made by the prosecution that the witness's bad reputation was made since his appearance in the case. A number of cases were cited to show that the courts of various states adhered to the general ruling that a witness's reputation is only considered prior to appearance in the case in which he testifies.

Attorney Campbell, in answer to the arguments of Attorney Baldwin, said that the jurors should be judges as to the character of the witness. He contended that the general reputation of the witness should be considered, not any particular period of the witness's life, but his reputation as is known among his neighbors. Reputation may be acquired in a day, even by a single act. Some time was taken up in the arguments of the attorneys, and the court ruled that the witness, Waller, might testify as to O'Donnell's character up to the time of his appearance (O'Donnell's) in the case, Aug. 12.

Officer Waller was called to the witness stand.

THE WAY WALLER PUTS IT.

He Thinks He Has More Knowledge of Veracity Than Has Dan O'Donnell.

Attorney Baldwin—Mr. Waller, have you heard any one speak of Dan O'Donnell on his reputation for truth and veracity?

"Not of late."

"What do you mean by 'not of late'?"

"I have not heard much about him the last three months."

"How often have you heard him speak of late?"

"Several times during the past few months."

"Do you remember one time and place where you heard his private character discussed?"

"Yes, I heard Mr. McGuire speak of him at my private residence."

"When did this conversation occur?"

"I can't state positively."

"Have you heard others speak of Dan O'Donnell as to his reputation for truth and veracity?"

"I have, but I cannot exactly remember the time."

"What did they say, and tell the name of who you talked with?"

"I cannot say, but they spoke of his reputation for truth and veracity, but they talked of his general reputation, and I can give the names of four men who talked with me about him."

"Did these persons seem to be acquainted with him?"

"The question was objected to by Attorney Campbell on the grounds it was not proper cross-examination. Objection overruled and the witness answered:

"Some of them are acquainted with him, so they stated."

"How did they happen to state that they were acquainted with him?"

"I only inferred from what they said that they were acquainted with him."

"Did you ever hear the word 'veracity,' before Attorney Campbell asked you that question?"

"Yes, several times."

"(Campbell here interrupted the interrogation of the witness and talked to the question he propounded to the witness. The witness was asked what he believed the word 'veracity' meant. He replied that he heard the word generally used with the word 'truth,' and thought it referred to honesty."

"Name one of the men who talked to you about O'Donnell."

"Mr. Sherman, a liquor merchant on East Park street."

"Did any of the men who talked to you say that they knew Dan O'Donnell?"

"I can't say that they did, but I inferred that they knew him."

"Who commenced the conversation, they or you?"

"I can not say."

"Attorney Baldwin—That is all."

"Attorney Campbell—State what you heard those men you talked with say?"

"Objected to by the prosecution on the ground of irregularity. The court overruled the objection and the witness answered:

"I sent for McGinn and he came to my house, I simply gave him the statement of O'Donnell I gave to me on the 4th of June. McGinn said young O'Donnell was all right, but that he wanted to be a 'fool' of a man and make a 'great spurge' before the courts, but said he was a good witness, though many of the things he might tell might not be true."

"Would you believe O'Donnell under oath?"

"Objected to and sustained by the court."

"Attorney Campbell—That is all, Mr. Waller."

"Attorney Baldwin—Did not McGinn refer to O'Donnell's statement to the court, and his actions about the men pointing a gun at him and saying, 'Get out of the room, pard,' and he replying, 'You bet your life'?"

"No, not that I know of. He referred

to the testimony given before the coroner's jury present, and as it was so near the witness was dismissed.

WHAT O'DONNELL SAID.

Adam Whiston Taught Him About the Penrose Murder.

Adam Whiston was then called to the stand.

Attorney Campbell—How old are you and what is your occupation?

"Twenty years, and I am a miner, and live in Dublin gulch."

"Do you know Dan O'Donnell?"

"I do."

"State what conversation took place between you and O'Donnell in the presence of one Byrne on July 9th."

"He came from the Crystal saloon, and stated that he had a little racket at the saloon over Deeney and Hickey, and took a piece of paper out of his pocket on which was written the names of Hickey, Deeney, Boland and Breen, and just then Byrne said: 'Here comes Deeney, now, and O'Donnell said: 'If that is Deeney, he not the man I thought he was.'"

"Did he say anything else?"

"No, not a word."

"What did O'Donnell say the day after the men were arrested?"

"I met him in front of the post office and asked him what he thought of it. He said that he knew they were the men. I said, 'You are a fool you don't know anything about it.'"

"What conversation did you have with O'Donnell going to a mine?"

"I never worked at a mine where O'Donnell worked, only on Chicken Flat."

"Did you ever have a conversation with him at any mine?"

"Objected to, and the attorneys took some time to discuss the objection, which was sustained by the court."

Attorney Campbell—How long have you known Dan O'Donnell?

"About 10 months."

"Were you intimate with him during that time?"

"Not very."

"Did not O'Donnell, in the conversation in front of the postoffice with you, ask you—referring to Deeney, Kelly and Hickey—ask you if they were not the men?"

"He did not."

CROSS-EXAMINATION.

Why Young Whiston Is Interested in O'Donnell's Sayings.

Attorney Baldwin—Mr. Whiston, can you remember the words O'Donnell used in talking to you?

"Yes, do you so well remember the words?"

"Because I was interested in it."

"Why were you interested in the matter?"

"Because I thought that at some time it might be useful for me to know what he said, as some innocent parties might be accused."

"Who did you first tell about the conversation you had with O'Donnell?"

"W. G. Malloy."

"State the time and place when you first started to talk about the conversation you had with O'Donnell."

"In a cabin in Dublin gulch."

"Did you ever talk with any of the attorneys for the defense?"

"Yes, Mr. Campbell, at his office."

"What was this? Was it before O'Donnell testified?"

"It was when he was giving testimony."

"Did any one advise you to see Campbell?"

"Yes, Mr. Malloy."

DAN STOLE A DOG.

A Poor Little Black and Tan That Fell Into the Hands of Thieves.

In the afternoon witness Adam Whiston's cross-examination was continued.

Attorney Baldwin—How long was the conversation you had with Dan O'Donnell on July 9?

"About three-quarters of an hour."

"What else did you talk about, aside from the Penrose affair?"

"About stealing a dog."

"Who stole the dog, you?"

"No, sir; O'Donnell."

"What kind of a dog was it?"

"A black and tan."

"Did you have any interest in the dog?"

"No."

"Did you ever go on a chicken stealing expedition with O'Donnell?"

"No, sir."

This class of questions was objected to by Mr. Campbell, and objection sustained. Baldwin—Have you taken any part in the dog stealing with the boys?

"No, sir."

The witness didn't know who owned the dog or from whom it was stolen.

"Do you remember anything else you talked about to O'Donnell at the time of the conversation referred to?"

"No, sir; only the murder and the dog stealing."

"Did you in your conversation with Campbell tell about the dog stealing?"

"No, sir."

"Did Campbell tell you about O'Donnell's testimony?"

"Yes, sir."

"What did he ask you to say about the case? What did he tell you he wanted you to say?"

"For to state what O'Donnell said."

"Did Campbell tell you that you would have to swear down O'Donnell's testimony?"

"Yes, sir."

"How do you remember the date of your conversation with O'Donnell as well?"

"Because it was on the night of the A. O. U. W. reception."

Here a number of questions were asked of the witness regarding the time in the night that he conversed with O'Donnell. The witness had all the little matters pertaining to the time "down pat," and could tell the exact minutes occupied in talking to O'Donnell, and the time he entered the saloon, and remembered the way they were written from the fact that he "thought the paper was something great."

"Have you read any account of O'Donnell's testimony in the papers?"

"Yes, sir."

"You say, Mr. Byrne, that you have known Mr. Hickey about four years?"

"Yes, sir."

"Did you describe Mr. Hickey to O'Donnell?"

"Yes, I did. I gave him an accurate description of both Hickey and Deeney."

"Have you ever conversed with Mr. Whiston about O'Donnell since then?"

"Yes, I talked to him once. He asked me if I knew what Dan O'Donnell said, and I told him, and said, 'That is right.'"

"What reason, if any, did he (Whiston) give you at that time for refreshing your memory on the subject?"

"He said he was subpoenaed and might call upon me to appear in court."

The cross-examination of Byrne was was rigid and at times it was evident the questions of Attorney Baldwin annoyed him.

Attorney Baldwin—Do you know a man named Chet Burns?"

"Yes, sir; I do."

"Where did he work?"

"At the Snow Flake mine."

"The witness was excused."

It was 3:45 o'clock. Attorney Camp-

bell stated that no other of his witnesses were present, and as it was so near the time for a adjournment he would ask that adjournment be taken, and court was adjourned till 10 a. m. to-morrow, when it is expected that Allen and Warren will be on hand to testify.

Cheap Excursions.

Let your friends in the East know that the Great Northern will sell round trip tickets August 25th, September 15th and 25th, from St. Paul, Minneapolis, Duluth and West Superior, in connection with eastern lines at reduced rates. Call at office, 105 Main street, for particulars.

WHO OWNED THE DOG.

A Wicked and Adulterous Generation That Seetheth to Steal a Dog.

Attorney Campbell—Tell us about the dog.

"Objected to by the prosecution. The objection was overruled, and the witness stated that O'Donnell stole the dog from a 'chippy,' and it was stolen from him by a man named Tooley, who took it to Anaconda, and then some one stole it back and brought it to Butte again."

"What brought O'Donnell to the Chicken Flat mine?"

"He called to see us."

"Did you ever know that O'Donnell worked at any mine or applied for work?"

"Objected to and sustained. Attorney Baldwin—You don't know the name of the dog, or anything about his pedigree?"

"No, sir."

"No you boys were much amused by the dog story and it took you half an hour to talk it over?"

"Yes, sir."

Witness excused.

CAMPBELL RUNS THE DEFENSE

Witnesses Can Be Recalled to Offer Additional Testimony.

Mr. Peter Byrnes was called.

Attorney Campbell—What is your age and occupation?

"Thirty-three years. I am a miner and live in Dublin gulch."

"Do you know Dan O'Donnell?"

"I do not."

"Do you know Adam Whiston?"

"I do."

"Did you see Dan O'Donnell and Adam Whiston on the night of July 9?"

"Yes, I did."

"State all that took place between O'Donnell, Whiston and yourself on that night?"

"They were talking about a dog which was stolen. How often it was stolen by him, and by somebody else, and how he rode on horseback to Granite and stole it from a man who stole it from